

UNITED STATES COURTS  
SOUTHERN DISTRICT OF TEXAS  
FILED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

APR 19 2006

MICHAEL N. MILBY, CLERK OF COURT

THE FOREST GROUP, INC. §  
§  
V. § CIVIL ACTION NO. H-05-4127  
§  
BON TOOL COMPANY, CIBON §  
INDUSTRIAL AND SHANGHAI §  
HONEST TOOL CO., LTD. §

**AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Now into court, through undersigned counsel, comes The Forest Group, Inc., a Texas corporation, with its principal place of business in Houston, Texas, ("Forest Group" hereinafter) who does allege that:

1.

That the first paragraph of the complaint be amended as follows:

"Now into court, through undersigned counsel, comes The Forest Group, Inc., a Texas corporation, with its principal place of business in Houston, Texas, ("Forest Group" hereinafter) who does allege that:"

2.

Plaintiff requests that paragraph 14 of its original complaint be amended as follows:

"14.

Plaintiff alleges that the device sold by defendant and described above is different in only minor and unimportant ways from the device for which Letters Patent No. 5,645,515 were issued to plaintiff. Said stilts infringe upon the patent both literally and under

the doctrine of equivalence. Therefore, defendant's sale of stilts described in paragraph above infringes plaintiff's patent."

WHEREFORE, it is further preyed that the Court allow the amendment of the complaint and that service and citation issue herein and that after all due proceedings that there be judgment against Bon Tool Company, Shanghai Honest Tool Co., Ltd. and Cibon Industrial:

I. Declaring that the stilts manufactured by Cibon Industrial and Shanghai Honest Tool Co., Ltd. and sold by Defendants infringe upon U.S. PATENT NO. 5,645,515;

II. Granting a permanent injunction against the manufacturing or marketing of products and/or stilts which in anyway infringe upon U.S. PATENT NO. 5,645,515

III. An Order requiring Bon Tool Company, Shanghai Honest Tool Co., Ltd. and Cibon Industrial to account to the Forrest Group for any and all profits derived due to their infringement of the Patent.

IV. A trebling of damages found to have been caused by the intentional infringement of the Patent by Cibon Industrial, Shanghai Honest Tool Co., Ltd. and Bon Tool Company.

V. Plaintiff be awarded damages against Cibon Industrial, Shanghai Honest Tool Co., Ltd. and Bon Tool Company in the sum of \$500,000, an amount adequate to compensate plaintiff for such infringement and not less than a reasonable royalty for the use made of plaintiff's invention by defendant, together with interest and costs as fixed by the court, as provided by *35 U.S.C.A. § 284*;

VI. Plaintiff be awarded the additional sum of \$50,000, on account of the willful

and intentional character of defendant's infringing acts, as provided by *35 U.S.C.A.* § 284;

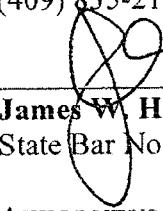
VII. Plaintiff be awarded plaintiff's attorney fees, as provided by *35 U.S.C.A.* § 285; and

VIII. Plaintiff be awarded costs and such other and further relief as the court deems proper.

Respectfully submitted,

  
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James W. Henges  
State Bar No. 00790860

**ATTORNEYS FOR PLAINTIFF, THE FOREST GROUP, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument has been forwarded to all counsel of record on this the 19th day of April, 2006.

Mr. Richard W. James  
25 Churchill Road  
Churchill, PA 15235

**VIA CERTIFIED MAIL, RRR**

And

Mr. Robert C. May  
1000 Heritage Center Circle  
Round Rock, TX 78664

**VIA CERTIFIED MAIL, RRR**

James W. Henges

